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FAX #: 571-273-8300

Sender: Dean E. Wolf
Tel: 510-655-9111
Fax: 510-217-9624

Serial No. 09/938,472
Our Ref. No.: COOLP001

Re: PETITION TO WITHDRAW HOLDING OF ABANDONMENT BASED
ON FAILURE TO RECEIVE OFFICE ACTION

Pages Including Cover Sheet(s): 7

MESSAGE:

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**RECEIVED
CENTRAL FAX CENTER****SEP 13 2005****PATENT**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: James, et al.

Application No.: 09/938,472

Filed: August 3, 2000

Title: METHOD AND APPARATUS FOR
VOUCHER SORTING AND
RECONCILIATION IN SOFT
COUNT PROCESS

Attorney Docket No.: COOLP001

Examiner: Knoll, Clifford

Group: 2112

CERTIFICATE OF TRANSMISSION

I hereby certify that this correspondence is being transmitted
via facsimile to the U.S. Patent and Trademark Office, at
facsimile telephone number (571) 273-8300 on September
13, 2005.

Signed: _____

Dean Wolf

**PETITION TO WITHDRAW HOLDING OF ABANDONMENT BASED ON
FAILURE TO RECEIVE OFFICE ACTION**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Applicant hereby petitions under 37 C.F.R. § 1.181(a) that the Notice of Abandonment mailed on 7/26/2005 be withdrawn based on the failure for applicant to receive the final office action which was mailed from the USPTO on 11/30/2004.

The primary inventor in this application, Benjamin James, elicited the voluntary help of undersigned attorney, Dean Wolf, to assist with issues relating to prosecution of this patent application. However, the official mailing address of record for this application is: Benjamin James, 1419 Mandela Parkway, Oakland, CA, 94607 (as evidenced by attached Change of Correspondence Address, which was received at the USPTO on September 01, 2004).

Accordingly, docketing of all official correspondence received from the USPTO for this application is handled by the inventor, Benjamin James and/or his staff at 1419 Mandela Parkway, Oakland, CA, 94607.

Attached with this petition is a sworn statement from the inventor, Benjamin James, and copy of the docket records for the above-reference patent application which are maintained by the inventor.

In accordance with MPEP Section 711.03(c)(I)(A), the undersigned Attorney of record asserts that the final office action which was mailed from the USPTO on 11/30/2004 was not received by the practitioner nor the applicant/inventor. A copy of the docket record is attached herewith. This is the docket record where the nonreceived Office communication would have been entered had it been received and docketed according to our standard procedures. As can be seen from the attached docket, there is no entry showing the receipt of the final rejection which was mailed from the USPTO on 11/30/2004. A search of the file jacket and docket records indicates that the Office communication was not received.

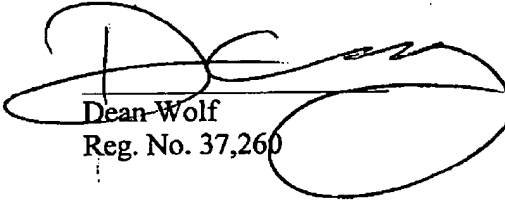
Based on this evidence, applicant hereby petitions under 37 C.F.R. § 1.181(a) that the Notice of Abandonment mailed on 7/26/2005 be withdrawn based on the failure for applicant to receive the final office action which was mailed from the USPTO on 11/30/2004.

It is believed that no fee is due at this time. It is respectfully requested that the undersigned Representative for Applicant be contacted at the telephone number below with any questions or concerns relating to this document or application.

The undersigned, Dean Wolf, hereby acknowledges that willful false statements and the like so made are punishable by fine or imprisonment or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of any application resulting therefrom.

Respectfully Submitted,

Date: September 13, 2005



Dean Wolf
Reg. No. 37,260

Dean Wolf
Tel: 510-655-9111
Fax: 510-217-9624

Sworn Statement from Inventor of App. Serial No. 09/938,472

I am Benjamin James Jr.

My patent application number is 09/938,472.

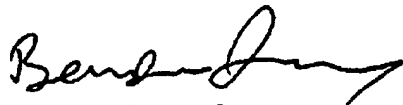
I am the primary inventor of the above-referenced patent application.

Although I have enlisted the voluntary help of a patent attorney, Dean Wolf, to help me with issues relating to prosecution of this patent application, I have requested that all official USPTO correspondence relating to this patent application be sent to my business office at 1419 Mandela Parkway, Oakland, CA, 94607. All mail when received at this business office is screened by the secretary who separates it into 3 categories: Funhouse Productions business mail, personal mail, and USPTO mail. When USPTO correspondence for this application is received, a record of received correspondence is logged in an Excel spreadsheet for docketing of this patent application, and the correspondence is then filed in a specially allocated file folder for this patent application. Mail that is delivered Saturdays to the same location is processed the following Monday. Presently, application number 09/938,472 is the only patent I am pursuing.

Attached is a copy of the Excel spreadsheet used for docketing official correspondence relating to this patent application. This is docket record where the nonreceived Office communication would have been entered had it been received and docketed according to our standard procedures. As can be seen from the attached docket, there is no entry showing the receipt of the final rejection which was mailed from the USPTO on 11/30/2004. A search of the file jacket and docket records indicates that the Office communication was not received. As there is no evidence that this document was received, I am requesting a withdraw of the holding of abandonment based on the failure to receive the final office action.

Thank you very much for your consideration.

The undersigned, Benjamin James Jr., hereby acknowledges that willful false statements and the like so made are punishable by fine or imprisonment or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of any application resulting therefrom.



**Benjamin James Jr.
Funhouse Productions
1419 Mandela Parkway
Oakland, CA 946067
510-547-5878- V
510-663-6462- F**

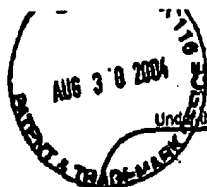
9-12-05

DATE

kat09patentmaillog.xls

9/12/2005

USPTO Correspondence KAT09 (COOLP001 - 09/938,472)	
8/23/2001	Mailed Patent Application
10/9/2001	Received Notice to File Missing Parts
10/20/2001	Mailed Response to Notice to File Missing Parts
3/15/2004	Received Non-Final Rejection
8/26/2004	Mail Response to Non-Final Action
8/26/2004	Mail Correspondence Address Change
8/3/2005	Receive Abandonment for Failure to Respond to Office Action



PTO/SB/122 (08-03)

Approved for use through 11/30/2005. OMB 0651-0035

U.S. Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE

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CHANGE OF CORRESPONDENCE ADDRESS Application

Address to:
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450.

Application Number	09/938,472
Filing Date	08/23/2001
First Named Inventor	JAMES
Art Unit	2112
Examiner Name	KNOLL
Attorney Docket Number	COOLPOO1

Please change the Correspondence Address for the above-identified patent application to:

☐ Customer Number:

OR

☒ Firm or
Individual Name

Address

Address

City

Country

Telephone

BENJAMIN JAMES

1419 MANDELA PKWY

OAKLAND

State

CA

Zip

94607

USA

(510) 547-5878

Fax

This form cannot be used to change the data associated with a Customer Number. To change the data associated with an existing Customer Number use "Request for Customer Number Data Change" (PTO/SB/124).

I am the:

☐ Applicant/Inventor

☐ Assignee of record of the entire interest.
Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96).

☒ Attorney or Agent of record. Registration Number 37260

☐ Registered practitioner named in the application transmittal letter in an application without an executed oath or declaration. See 37 CFR 1.33(a)(1). Registration Number

 Typed or Printed
Name

DEAN WOLF

Signature

Date

8/26/04

Telephone

510-655-9111

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below.

☐ *Total of 1 forms are submitted.

This collection of information is required by 37 CFR 1.33. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 3 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.